

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC., as Broadcast  
Licensee of the November 27, 2004 Barrera/Morales  
Program,

\_\_\_\_\_  
ORDER  
05-CV-4119 (NGG)(RER)

Plaintiff,

-against-

LEPIDO A RAMIREZ, Individually and d/b/a EL  
VIEJO YAYO RESTAURANT, and EL VIEJO  
YAYO RESTAURANT,

Defendant.  
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GARAUFIS, District Judge.

On May 17, 2006 Magistrate Judge Ramon E. Reyes issued a Report and Recommendation (“R&R”) in the above-captioned action recommending that the Plaintiff be awarded judgment in the amount of \$11, 668.75, comprised of \$10,200.00 in statutory damages and \$1,468.75 in attorneys fees and costs, plus post-judgment interest at a rate of 9% from the date of entry of default. No objections to the R&R have been timely filed.

In reviewing an R&R, this court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge’s R&R where no timely objection has been made, the “court need only satisfy itself that there is no clear error on the face of the record.” Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may

accept report if it is “not facially erroneous”).

The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. The plaintiffs are hereby awarded \$11,668.75, plus statutory interest from the date of entry of default.

SO ORDERED.

Dated: June 19, 2006  
Brooklyn, N.Y.

\_\_\_\_\_/s/  
Nicholas G. Garaufis  
United States District Judge